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John S. Pratt, Esq.
Kilpatrick and Stockton, LLP
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309-4530

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OFFICE OF PETITIONS

In re Application of	:	
Mark Ryan, et al.	:	
Application No. 09/766,295	:	DECISION GRANTING PETITION
Filed: January 19, 2001	:	UNDER 37 CFR 1.137(f)
Attorney Docket No. W2100/204330	:	

This is a decision on the petition filed April 18, 2002 and supplemented on June 7, 2002, to revive the instant nonprovisional application under the unintentional provisions of 37 CFR 1.137(f).

The petition is **GRANTED**.

This application became abandoned pursuant to 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application in a foreign country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.

A petition under 37 CFR 1.137(f) must be accompanied by: (1) the reply which is met by notification of such filing in a foreign country or under a multinational treaty; (2) the petition fee as set forth in 37 CFR 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional.

The instant petition has been found in compliance with the 37 CFR 1.137(f). Accordingly, the failure to timely notify the Office of a foreign or international filing within 45 days as provided by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is accepted as having been unintentionally delayed.

The previous Request and Certification under 35 USC 122(b)(2)(B)(i) has been rescinded. A Corrected Filing Receipt which sets forth the projected publication date of September 19, 2002 accompanies this decision on petition.

Telephone inquiries concerning this decision should be directed to Marianne Morgan at (703) 306-3475.

This application is being forwarded to Technology Center Art Unit 2155 for examination in due course.



Frances M. Hicks

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt